



DATE: April 10, 1998

CASE NO. 96-JSA-1

In the Matter of

ARIZONA DEPARTMENT OF ECONOMIC  
SECURITY

Complainant

v.

UNITED STATES DEPARTMENT OF LABOR

Respondent

ORDER OF DISMISSAL

The above-captioned proceeding, arising under 29 U.S.C. § 49, *et seq.*, Federal Employment Service, and implementing regulations found at 20 C.F.R. Part 658, was assigned to this administrative law judge for hearing on the appeal, filed in accordance with 20 C.F.R. § 658.707, by the Arizona Department of Economic Security (ADES) from the Grant Officer's Final Determination that \$110,918.00 in disallowed costs remain owed to the Bureau of Labor Statistics (BLS) by the grantee in its operation of BLS funded programs.

Subsequent to the issuance of the Chief Judge's Notice of Docketing, but prior to assignment of the matter for a formal hearing, the undersigned received a letter from Scott Glabman, Esq., Office of the Solicitor of Labor, counsel for the Regional Commissioner, Bureau of Labor Statistics, accompanied by a copy of a document entitled Stipulation of Dismissal, signed by counsel for both parties. In the letter and the Stipulation of Dismissal, the parties stated that they had amicably settled the case and hereby stipulate to its dismissal with prejudice.

The matter appears to be one governed by Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Dismissal of Actions, Voluntary Dismissal. As there are no justiciable issues before the administrative law judge and no further need for a hearing exists, this Order of Dismissal, without prejudice, with each party bearing its own fees and expenses, is entered.

SO ORDERED.

GEORGE P. MORIN  
Administrative Law Judge

GPM:mr